

RESOLUTION 9982

A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND SAID CITY BOUNDARIES TO INCLUDE A SEGMENT OF 13<sup>TH</sup> AVENUE SOUTHWEST AND A PORTION OF THE SUN RIVER, SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7-2-4402, MONTANA CODE ANNOTATED

\* \* \* \* \*

WHEREAS, the City of Great Falls is a city incorporated under the laws of the State of Montana, and having a population of more than ten thousand (10,000) is a city of the first class; and,

WHEREAS, there is contiguous to said City, but outside the boundaries thereof, a segment of 13<sup>th</sup> Avenue Southwest, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, more particularly described as follows:

Commencing at the Northwest corner of Lot 3, Sun River Garden Tracts, said corner being the "True Point of Beginning", proceed thence northerly  $\pm 60.0$  feet, crossing the 13<sup>th</sup> Avenue Southwest right-of-way to a point on the easterly right-of-way line of 14<sup>th</sup> Street Southwest and the Southwest corner of Mark 2AC, Sun River Bridge Garden Tracts;

Thence Easterly  $\pm 455$  feet along the northerly right-of-way line of 13<sup>th</sup> Avenue Southwest, to a point on the easterly right-of-way of 13<sup>th</sup> Avenue Southwest and the Southeast corner of Mark 1, Sun River Bridge Garden Tracts;

Thence Southerly  $\pm 60$  feet, crossing the 13<sup>th</sup> Avenue Southwest right-of-way to a point on the southerly right-of-way line of 13<sup>th</sup> Avenue Southwest and the Northeast corner of Mark 2C Sun River Bridge Garden Tracts;

Thence Westerly  $\pm 455$  feet along the southerly right-of-way line of 13<sup>th</sup> Avenue Southwest, to a point on the eastern right-of-way of 14<sup>th</sup> Street Southwest and the Northeast corner of Lot 3 Sun River Bridge Garden Tracts, being the "True point of Beginning";

containing  $\pm 0.63$  acres more or less; and,

WHEREAS, there is contiguous to said City, but outside the boundaries thereof, a portion of the Sun River, Section 15, Township 20 North, Range 3 East, Cascade County, Montana, more particularly described as follows:

Commencing at the Northwest corner of Mark 1, Sun River Bridge Garden Tracts and the High Water Mark of the Sun River, said corner being the "True Point of

Beginning”, proceed thence northerly  $\pm 266$  feet, crossing the Sun River to a point along the northerly High Water Mark of the Sun River and the southern property line of the West Great Falls Flood Levee;

Thence Easterly  $\pm 102$  feet along the northerly High Water Mark of the Sun River, to a point along the High Water Mark of the Sun River and the southern property line of the West Great Falls Flood Levee;

Thence Southerly  $\pm 235$  feet, crossing the Sun River to a point along the High Water Mark of the Sun River and the Northeast corner of Mark 1, Sun River Bridge Garden Tracts;

Thence Westerly  $\pm 93$  feet along the northerly property line of Mark 1, Sun River Bridge Garden Tracts and the High Water Mark of the Sun River, to a point along the southern High Water Mark of the Sun River and the Northwest corner of Mark 1, Sun River Bridge Garden Tracts, being the “True Point of Beginning”;

containing  $\pm 0.55$  acres more or less and containing in all  $\pm 1.18$  acres as shown on the map attached hereto, marked Attachment “A” and by this reference made a part hereof; and,

WHEREAS, Section 7-2-4402, Montana Code Annotated, provides that whenever any land contiguous to a municipality is owned by the State of Montana or by any agency, instrumentality, or political subdivision or whenever any of the foregoing have a beneficial interest in any land contiguous to a municipality, such land may be incorporated and included in the municipality to which it is contiguous and may be annexed thereto and made a part thereof; and,

WHEREAS, the City has obtained a Request for Annexation of the subject segment of right-of-way and portion of Sun River from the Deloris M. Russell Trust, property owner of 1359 13<sup>th</sup> Avenue Southwest legally described as Mark 1, Sun River Bridge Garden Tracts located in the NE $\frac{1}{4}$  of Section 15, Township 20 North, Range 3 East, Cascade County, Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

That in its judgment it will be to the best interest of said City of Great Falls and the inhabitants thereof that the boundaries of said City of Great Falls shall be extended so as to include: “A SEGMENT OF 13<sup>TH</sup> AVENUE SOUTHWEST AND A PORTION OF THE SUN RIVER IN NE $\frac{1}{4}$ , SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA.”

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION: That Tuesday, the 7<sup>th</sup> day of August, 2012, at 7:00 P.M., in the Commission Chambers at the Great Falls Civic Center, Great Falls, Montana, be and the same is hereby set as the time and place for a public hearing at which time the Great Falls City Commission shall hear all persons and all things relative to the proposed annexation of “A SEGMENT OF 13<sup>TH</sup> AVENUE SOUTHWEST AND A PORTION OF THE SUN RIVER IN NE $\frac{1}{4}$ , SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA.”

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION: That the City Clerk of said City shall, at the aforesaid public hearing before the said City Commission and after expiration of a twenty (20) day period following the first publication of notice of passage of this Resolution, lay

before the City Commission all communications in writing by her so received pertaining to said annexation.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 17<sup>th</sup> day of July, 2012.

\_\_\_\_\_  
Michael J. Winters, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(SEAL OF THE CITY)

APPROVED FOR LEGAL CONTENT:

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James W. Santoro, City Attorney

State of Montana        )  
County of Cascade     : ss  
City of Great Falls    )

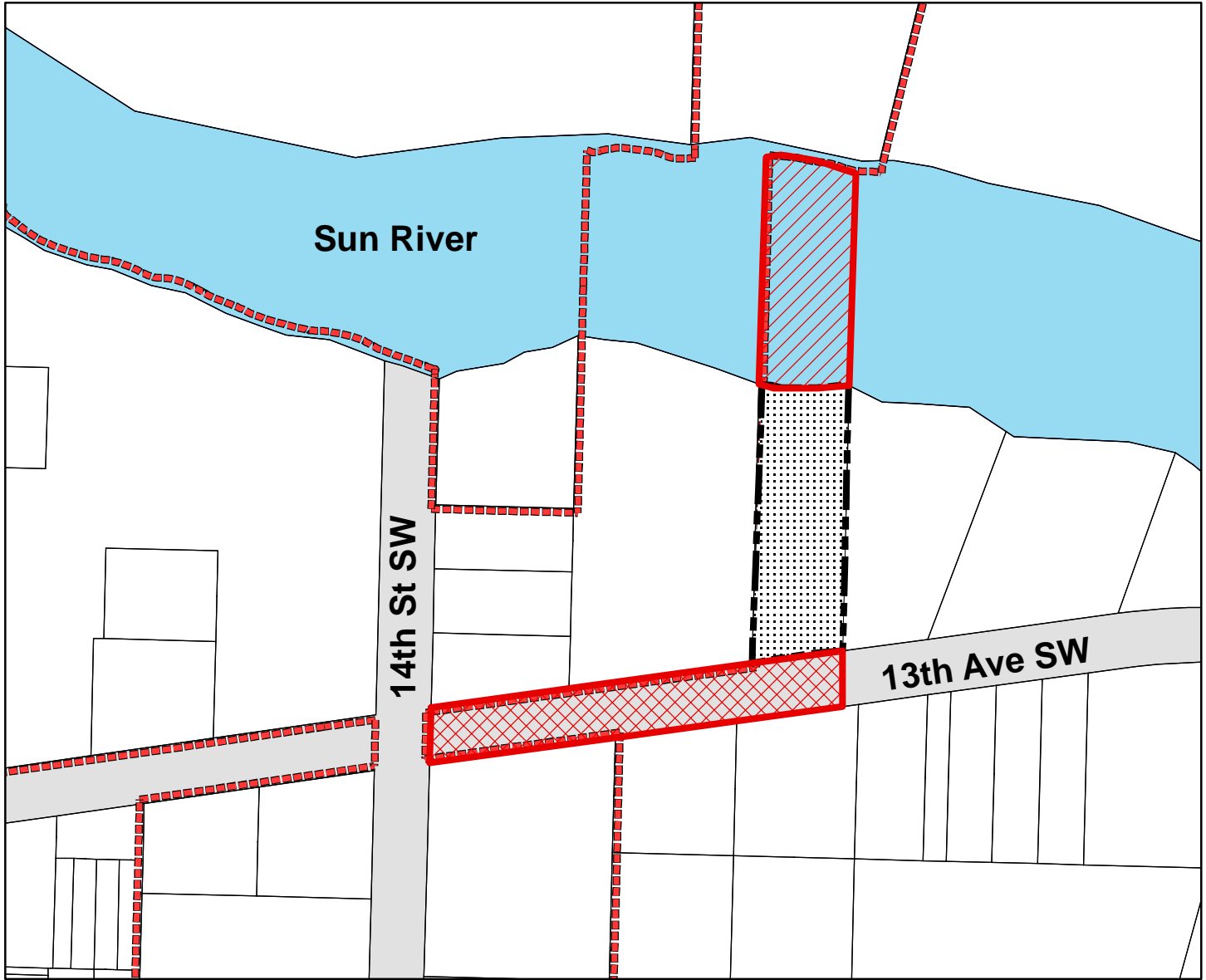
I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9982 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 17<sup>th</sup> day of July, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 17<sup>th</sup> day of July, 2012.

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Lisa Kunz, City Clerk

(SEAL OF CITY)

# Attachment A Resolution 9982





--- City Limits

asdf

 13th Ave SW ROW Related to Resolution 9982

 Sun River Related to Resolution 9982

 1359 13th Ave SW

 Tracts of Land

 Right-of-Way

120 60 0 120 Feet



1359 13th Ave SW